IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

WA.No. 2391 of 2007

AGAINST THE JUDGEMENT IN WPC.8048/2007 Dated 12/03/2007

APPELLANTS: PETITIONERS:
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1. V.M.JABBAR,
   S/O.MOHAMMED,AGED 43,
   VATTAPARAMBIL HOUSE,VIRUPPAKKA,VAZHANI P.O,
   THRISSUR,(SECRETARY,INTUC (I) UNION,VIRUPPAKA,
   THRISSUR).

2. C.I.JACOB,
   S/O.ISSAC,CHIRAYATH HOUSE,
   VAZHANI P.O,THRISSUR (HEAD LOAD WORKER,INTUC,
   VIRUPPAKA,THRISSUR).

3. K.A.VEERAN,
   KUZHIPEEDIKAYIL HOUSE,
   VAZHANI P.O THRISSUR DISTRICT
   (HEAL LOAD WORKER INTUC, VIRUPPAKA).

BY ADV. SRI.SHOBY K.FRANCIS

RESPONDENTS: RESPONDENTS:
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1. THE DISTRICT LABOUR OFFICER,THRISSUR.

2. THE ASSISTANT LABOUR OFFICER,
   WADAKKANCHERRY,THRISSUR.

3. NOUSHAD,
   S/O.USMAN,PANIKKAVEETTIL HOUSE
   VAZHANI P.O,VIRUPPAKKA,THRISSUR.

4. UMMER P.M,
   S/O.AYSHA,PADINJARANVEEDU,
   KAKKINIKKADU,VAZHANI P.O,THRISSUR.

5. AJITHA KUMAR P.K,
   S/O.KUNJAYYAPPAN,
   PALLISSERY HOUSE,VIRUPPAKKA,
   VAZHANI P.O,THRISSUR.

6. ABDUL RAHMAN,
   S/O.KALANAR,KODAKUZHI HOUSE
   VAZHANI P.O,THRISSUR.

7. ABUL AZIZ,
   S/O.ABDUL RAHMAN,
   AMBALATHVEETTIL,VAZHANI P.O,
   THRISSUR.

8. BABU M.B,
   S/O.BALAKRISHNAN,
   MUTIKKAL HOUSE,VIRUPPAKKA,
   VAZHANI P.O,THRISSUR.

BY SENIOR GOVERNMENT PLEADER SMT. K.MEERA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L. DATTU, C.J. & K.T. SANKARAN, J.

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W.A. No. 2391 OF 2007

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Dated this the 11th October, 2007

J U D G M E N T

H.L. Dattu, C.J.:

This appeal arises out of the order passed by the learned single Judge in W.P.(C) 8048 of 2007 dated 12th March, 2007.

2. The petitioner in the Writ Petition, has called in question the correctness or otherwise of the orders passed by the Assistant Labour Officer, Wadakkancherry, Thrissur and the District Labour Officer, Thrissur. By those orders, the authorities under the provisions of the Kerala Headload Workers Act and Rules, had granted licenses to the respondent Nos. 3 to 8.

3. The learned counsel appearing for the appellants would submit that before passing any orders, the respondent Nos. 1 and 2 should have heard the petitioners.

4. The learned counsel appearing for the appellants is not in a position to point out any provision under the Act or Rules which would cast an obligation on the respondent Nos. 1 and 2 to issue notices to the petitioners before granting licenses to the respondent Nos. 3 to 8. In fact, the respondent Nos.1 and 2, before granting licenses to the respondent Nos. 3 to 8, had issued notices to the employers and it is only thereafter, have thought it fit to grant licenses to those respondents.

5. In our opinion, neither the authorities under the Act nor the learned single Judge has committed any error whatsoever, which would call for our

interference. Accordingly, the Writ Appeal requires to be rejected and it is rejected.

Ordered accordingly.

H.L. DATTU,
CHIEF JUSTICE.

K.T. SANKARAN,
JUDGE.

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